Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 920-00052-2414-505		Date: 05/26/20		Time: 0303	
Location: [redacted] North Hagar Street		City or Station: San Fernando			
Bureau/Station/Facility: Special Enforcement Bureau		Admin. Investigation: ○ YES ◉ NO			
Type of Force: Less Lethal Impact Round/ Canine Bite					
Incident Category: ○ 1 ○ 2 ◉ 3		Deputy Injury: ○ YES ◉ NO		Suspect Injury ◉ YES ○ NO	
☒ Call	☐ Observation	☐ Detail	☐ Foot Pursuit	☐ Vehicle Pursuit	
IAB Notified: ◉ YES ○ NO	Person Notified: Lt. Deryl Walker	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO		

Involved Employee

E1

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I.: [redacted]	Rank: B-1	
Sex: ◉ M ○ F	Race: W	Height: 6'03"	Weight: 255	Age: [redacted]	Shift: ○ EM ○ Day ◉ PM; ◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Special Enforcement Bureau		Work Assignment (Unit #, Module, etc.): 241K93			
Individual Force Used: Less Lethal Impact Round (40mm)		◉ Directed ○ Rescue ○ Medical Assist		Individual Category ○ 1 ◉ 2 ○ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:			Coroner Case #	

E2

Employee #: [redacted]	Last Name: Williams	First Name: Stephen	Middle I.: E.	Rank: B-1	
Sex: ◉ M ○ F	Race: W	Height: 6'00"	Weight: 230	Age: [redacted]	Shift: ○ EM ○ Day ◉ PM; ◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Special Enforcement Bureau		Work Assignment (Unit #, Module, etc.): 240K94			
Individual Force Used: Canine Bite		◉ Directed ○ Rescue ○ Medical Assist		Individual Category ○ 1 ○ 2 ◉ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:			Coroner Case #	

E_

Employee #:	Last Name:	First Name:	Middle I.:	Rank:	
Sex: ○ M ○ F	Race:	Height:	Weight:	Age:	Shift: ○ EM ○ Day ○ PM; ○ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment:		Work Assignment (Unit #, Module, etc.):			
Individual Force Used:		○ Directed ○ Rescue ○ Medical Assist		Individual Category ○ 1 ○ 2 ○ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:			Coroner Case #	

☒ Additional Involved Employees

On Duty Supervisor

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	YES ◉ NO ○	YES ○ NO ◉

Supervisor Completing Investigation

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Cain	Paulette	M.	Sgt	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp #	Last Name	First Name	Middle I.	Rank
[redacted]	Thomas	Patricia	T.	Lt.

PThomas. 05-27-2021

Watch Commander / Supervising Lieutenant's **Signature:** Date Copy Provided to [redacted] Emp #: 6/3/21 Date

WILLIAM JAEGER

Unit Commander **(Print Name)** Unit Commander's **Signature:**

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

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Suspect Information

S 1

Last Name: Vargas	First Name: Arthur	Middle Name:	Armed? Select: Other	
AKA Last Name:	First Name:	Middle Name:		
Sex: (●) Male ( ) Female	Race: H	Age: 41	Height: 5'09"	Weight: 200
D.O.B: 12/18/78	Phone #1: ( ) H ( ) W ( ) C [redacted]	Phone #2: ( ) H ( ) W ( ) C		
Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]		
Booking #: 5939831	Primary Charge Code: 422(A) PC	Secondary Charge Code: 148(A)PC	[X] Criminal History	
Treated on Scene? (●) YES ( ) NO	Name: Captain Tumbelson	Unit: LA City #98	Phone #: 818-756-8698	
Hospital Admission? [X]	Rec'd Treatment At: Olive View-UCLA	Coroner Case #:	Mental History [ ] User's guide provides direction on this entry	
By: Dr. Theresa Cheng	Address: 14445 Olive View Dr. Sylmar, CA 91342	Phone #: 747-210-3000		
Under Influence: (●) YES ( ) NO	Substance: CNS Stimulant	5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry		

Suspect Interview

Date: 05/26/20	Time: 0357	[X] Audiotape:	[X] Videotape:	[X] Photos of Injuries:	[X] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name:	First Name:	Middle Name:	Armed? Select:	
AKA Last Name:	First Name:	Middle Name:		
Sex: ( ) Male ( ) Female	Race:	Age:	Height:	D.O.B.
Weight:	Phone #1: ( ) H ( ) W ( ) C	Phone #2: ( ) H ( ) W ( ) C		
Street Address:	City:	State & Zip Code:		
Booking #:	Primary Charge Code:	Secondary Charge Code:	[ ] Criminal History	
Treated on Scene? ( ) YES ( ) NO	By:	Unit:	Phone #:	
Hospital Admission? [ ]	Rec'd Treatment At:	Coroner Case #:	Mental History [ ] User's guide provides direction on this entry	
By:	Address:	Phone #:		
Under Influence: ( ) YES ( ) NO	Substance:	5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry		

Suspect Interview

Date:	Time:	[ ] Audiotape:	[ ] Videotape:	[ ] Photos of Injuries:	[ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name:	First Name:	Middle Name:	Armed? Select:	
AKA Last Name:	First Name:	Middle Name:		
Sex: ( ) Male ( ) Female	Race:	Age:	Height:	D.O.B.
Weight:	Phone #1: ( ) H ( ) W ( ) C	Phone #2: ( ) H ( ) W ( ) C		
Street Address:	City:	State & Zip Code:		
Booking #:	Primary Charge Code:	Secondary Charge Code:	[ ] Criminal History	
Treated on Scene? ( ) YES ( ) NO	By:	Unit:	Phone #:	
Hospital Admission? [ ]	Rec'd Treatment At:	Coroner Case #:	Mental History [ ] User's guide provides direction on this entry	
By:	Address:	Phone #:		
Under Influence: ( ) YES ( ) NO	Substance:	5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry		

Suspect Interview

Date:	Time:	[ ] Audiotape:	[ ] Videotape:	[ ] Photos of Injuries:	[ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

920 - 00052 - 2414 - 505

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Murray	William	R.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
S.E.B.	242S	○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Montenegro	John	C.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
S.E.B.	242A	○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Rodriguez	Juan	P.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
S.E.B.	242B	○ EM ○ Day • PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	Adult	

Street Address	City	Zip Code	Phone #1	Phone #2
San Fernando Police Department	San Fernando	91340	8188981267	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	Adult	

Street Address	City	Zip Code	Phone #1	Phone #2
San Fernando Police Department	San Fernando	91340	8188981267	

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☒ Additional Witness

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

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Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Belville	Seth	A.
Unit of Assignment: S.E.B.	Work Assignment (Unit #, Module, etc.): 242D	Shift: ○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty
[redacted]	Francois	Ervin	
Unit of Assignment: S.E.B.	Work Assignment (Unit #, Module, etc.): 245A	Shift: ○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty
[redacted]	Munoz	Ricardo	
Unit of Assignment: S.E.B.	Work Assignment (Unit #, Module, etc.): 245B	Shift: ○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Supervisor's Report on Use of Force

| 9 | 2 | 0 | - | 0 | 0 | 0 | 5 | 2 | - | 2 | 4 | 1 | 4 | - | 5 | 0 | 5 |

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Arthur Vargas	S#1	[redacted]	E#1	UC	NN	
Arthur Vargas	S#1	[redacted]	E#1	HR	NN	
Arthur Vargas	S#1	Stephen Williams	E#2	HR	NN	
[redacted]	E#1	Arthur Vargas	S#1	IR	BR	CH
Stephen Williams	E#2	Arthur Vargas	S#1	CN	FR	AR

Supervisor's Report on Use of Force

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Canine Deployment - Supervisor's Review

Primary Handler: Stephen Williams	# [redacted]	Canine: Jack	Unit: 240K94
Assist Handler:	#	Canine:	Unit:
Assist Handler:	#	Canine:	Unit:
Assist Handler:	#	Canine:	Unit:

TYPE OF SEARCH

- ☐ Area
- ☐ Building
- ☒ Other: Barricaded Suspect - Arrest Team

BITE OCCURRED WHILE

- ☒ Apprehending Suspect
- ☐ Conducting Search
- ☐ Protecting Handler
- ☐ Other:

TYPE OF INCIDENT

- ☒ Bite
- ☐ Other:

ANNOUNCEMENTS

- ☒ Announcements Were Made
- ☐ None (Reason):

Announcement Made by: S.E.B. personnel

- ☐ by Aero Unit
- ☒ by Radio Car

- ☒ English
- ☐ Spanish
- ☐ Recorded

Criminal History

[redacted]

Notifications

Chief James J. Hellmold, Special Operations Division
Captain Joseph J. Williams, Special Enforcement Bureau
Lieutenant Joseph R. Garrido, Special Enforcement Bureau
Lieutenant Deryl Walker, Internal Affairs Bureau

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**Category 3 - Use of Force - Canine Bite Causing Fractured Bone; Less Lethal Impact Round**
IAB FILE NUMBER:	**FO 2510084**
URN:	**920-00052-2414-505**
DATE/TIME:	**May 26, 2020 / 0303 Hours**
LOCATION:	**[redacted] North Hagar Street San Fernando, CA 91340**

SYNOPSIS

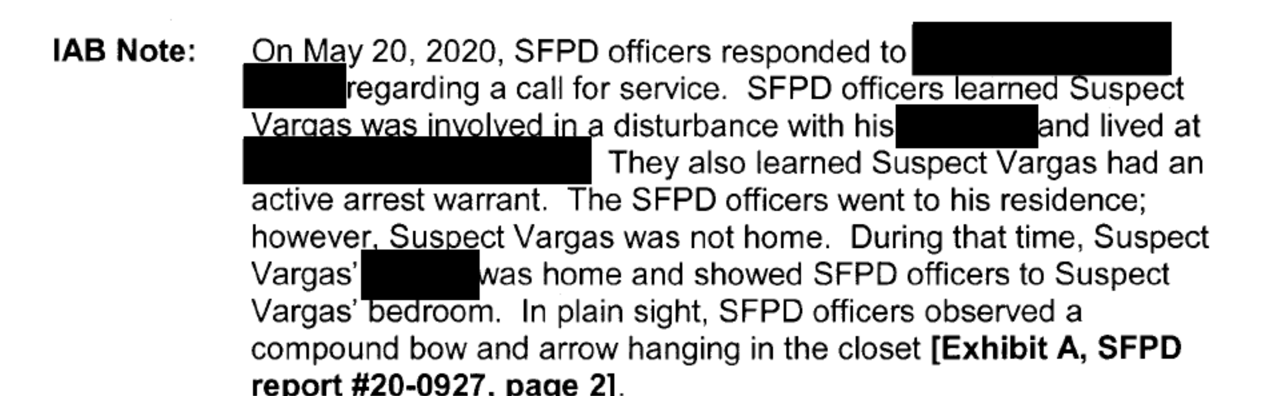
On May 26, 2020, Deputies [redacted] # [redacted] and Stephen Williams, # [redacted] assigned to the Special Enforcement Bureau (SEB) / Canine Services Detail (CSD), were involved in a use of force in the City of San Fernando while assisting the San Fernando Police Department (SFPD) during a barricaded suspect containment. Suspect Arthur Vargas Jr. suffered puncture wounds, rakes and an ulnar fracture to his right arm because of a canine bite. He additionally suffered a contusion to the right side of his chest from being struck by a less lethal impact round.

> **IAB Note:** SEB/CSD, Sergeant [redacted] # [redacted] conducted and completed a use of force investigation. The use of force investigation was completed on July 2, 2020. Refer to Supervisor's Report on Use of Force Form #920-00052-2414-505 **[Exhibit B]**.

On May 27, 2020, an Internal Affairs Bureau (IAB) Force/Shooting Response Team comprised of Lieutenant Deryl Walker, # [redacted] Sergeant Paulette Cain, # [redacted] and Sergeant Michael Maxwell, # [redacted] responded to LAC + USC Medical Center regarding the use of force, which resulted in the hospitalization of Suspect Vargas due to the ulnar fracture to his right arm.

SUMMARY

On May 25, 2020, SFPD Officers [redacted] and Sergeant [redacted] SFPD responded to the residence of Suspect Vargas to arrest him for a [redacted] warrant.



IAB Note: On May 20, 2020, SFPD officers responded to [redacted] regarding a call for service. SFPD officers learned Suspect Vargas was involved in a disturbance with his [redacted] and lived at [redacted] They also learned Suspect Vargas had an active arrest warrant. The SFPD officers went to his residence; however, Suspect Vargas was not home. During that time, Suspect Vargas' [redacted] was home and showed SFPD officers to Suspect Vargas' bedroom. In plain sight, SFPD officers observed a compound bow and arrow hanging in the closet **[Exhibit A, SFPD report #20-0927, page 2]**.

Upon arrival, the SFPD officers saw Suspect Vargas walk out of the front door of the residence. When the officers approached Suspect Vargas, he immediately ran inside his residence. He locked the front screen door and shouted he possessed a firearm. The officers followed Suspect Vargas into the residence.

IAB Note: Suspect Vargas had eluded SFPD officers several times in the past and had a history of carrying firearms. He was also a known gang member from the criminal street gang "San Fern 13."

Suspect Vargas ran into a rear bedroom which had a blanket over the doorway as a makeshift door. The officers took a position of cover near the kitchen area of the residence and maintained a visual of the bedroom doorway. Sergeant [redacted] ordered Suspect Vargas to exit his bedroom with his hands up. Suspect Vargas refused to exit. He told the officers he would not come out alive and he would shoot at the officers if they entered the room.

Suspect Vargas threw a water bottle and another item out of the bedroom. Sergeant [redacted] employed his Department issued OC spray, from his position of cover in the kitchen (approximately 10-15 feet), toward the direction of Suspect Vargas' bedroom. The OC spray had little to no effect on Suspect Vargas. Officer [redacted] and Sergeant [redacted] continued to command Suspect Vargas to exit the bedroom.

Suspect Vargas placed a dresser in between the threshold of the doorway and stacked items on top of the dresser in an attempt to barricade himself in the bedroom. The suspect illuminated two flashlights and held out a handheld mirror, beyond the doorway, in an effort to locate the officers. Suspect Vargas sprayed an unknown substance along one side of the dresser. Large amounts of smoke billowed from inside the bedroom. From an outside position, Officer [redacted] kicked a rear door open to ventilate the residence, which allowed the smoke to dissipate.

Suspect Vargas moved unknown items near the side of the dresser. Officer [redacted] employed his Department issued OC spray. The OC spray had little to no effect on Suspect Vargas. Suspect Vargas placed a bottle with a liquid substance, with piece of paper protruding from the mouth of the bottle, on top of the dresser. The suspect

attempted to light the paper on the fire, but was unsuccessful. Sergeant [redacted] requested the Los Angeles City Fire Department (LAFD) to respond and stage near the residence. Suspect Vargas continued to make furtive movements behind the blanket, and periodically stuck an unknown object out from the side of the blanket.

After approximately thirty minutes of giving Suspect Vargas commands to exit the bedroom, Sergeant [redacted] requested the assistance of the Los Angeles County Sheriff's Department (LASD) SEB, regarding the barricaded suspect. Officers [redacted] and [redacted] and Sergeant [redacted] established themselves as an arrest team and remained positioned in the kitchen area.

Members from the SEB and its CSD responded to Suspect Vargas' residence. Deputy John Montenegro, #[redacted] from the SEB Blue Team assumed tactical control of the incident. Deputy Montenegro assigned members from SEB to tasks and containment positions as they arrived. Upon arrival, Deputy Juan Rodriguez, #[redacted] contacted the SFPD officers positioned inside the kitchen. Deputy Rodriguez attached himself as part of their arrest team, as he waited for additional SEB members to arrive.

Suspect Vargas periodically illuminated a flashlight with a bright constant beam toward the arrest team. He then switched the flashlight setting to a strobe feature. The suspect used the flashlight in an attempt to locate the arrest team's position as well as a diversionary device.

> **IAB NOTE**: A strobe is a function of a flashlight where it rapidly shifts from on to off. The strobe feature causes disorientation and can cause reduction in peripheral vision.

Deputy Rodriguez identified himself as a SEB member and ordered Suspect Vargas to exit the bedroom with both hands in the air. Suspect Vargas replied he was not coming out alive, law enforcement would have to kill him, and refused to exit the bedroom. Suspect Vargas asked Deputy Rodriguez if the weapon he carried was a SIG 226. Suspect Vargas referenced he possessed a SIG and would use it on anyone that entered the bedroom. The suspect remarked he was aware of Special Weapons and Tactics (SWAT) and the steps that would be used.

Deputy Seth Belville, #[redacted] contacted Suspect Vargas' [redacted] She told Deputy Belville she was not present when Suspect Vargas was contacted by the SFPD officers. Ms. [redacted] believed her [redacted] was suicidal and was unsure if he would surrender. She saw a crossbow in his bedroom but did not see any firearms. Deputy Belville contacted Suspect Vargas' minor [redacted] She told Deputy Belville she believed her [redacted] used Phencyclidine (PCP). She also saw a crossbow, in a large case, which hung on a wall, by her [redacted] bed.

Sergeant William Murray, #[redacted] formulated an arrest team. He assigned the following to specific tactical duties: Deputy [redacted] as less lethal 40 mm

projectile launcher; Deputy Stephen Williams as the primary canine handler; Deputy Ricardo Munoz, #[redacted] as contact; Deputy Seth Belville, as contact; Deputy Juan Rodriguez as lethal coverage; and Deputy Montenegro as lethal coverage. Deputy Ervin Francois, #[redacted] assisted the arrest team by providing cover with the ballistic shield. The tactical plan included contingencies on how to react to Suspect Vargas' potential actions. Deputy Rodriguez moved the arrest team into the living room, just south of the kitchen and Suspect Vargas' bedroom, to create distance.

Over the course of several hours, the arrest team continued to order Suspect Vargas to surrender, which was met with negative results. An armored vehicle equipped with a public address (PA) system was parked at the front of the location, approximately 6-10 feet away, from Suspect Vargas' window. PA announcements were made, in approximately fifteen minute increments, from the armored vehicle for Suspect Vargas to surrender. Suspect Vargas continued to ignore orders to surrender and threw an unknown object out the north facing bedroom window.

A plan was formulated to deploy a light/sound diversionary device (flash bang). Deputy James Krase, #[redacted] who was positioned on the outside of the residence, employed a flash bang to the rear of the residence. PA announcements were again made from the armored vehicle for Suspect Vargas to surrender. The arrest team also made additional announcements. Suspect Vargas continued to be noncompliant.

A member from the Crisis Negotiation Team (CNT) called Suspect Vargas' cellphone. The crisis negotiator repeatedly requested Suspect Vargas to surrender. Suspect Vargas ended his conversation with the crisis negotiator and did not answer any further phone calls.

After some time, a plan was formulated to insert chemical agents inside the bedroom. Deputy Krase deployed two 40mm liquid CS rounds and two 40mm powder CS rounds from a 40mm multi-launcher into the windows of Suspect Vargas' bedroom. Moments later, the glass on the oven door, in the kitchen, shattered.

IAB Note: CS is the compound 2- chlorobenzalmalononitrile, which is the defining component of tear gas.

Suspect Vargas exited the bedroom holding a bottle in his right hand and a bandana in his left hand. He walked, approximately eight to ten feet away, from his bedroom and appeared to be shortly affected by the chemical agents. The arrest team ordered Suspect Vargas to drop the bottle and walk toward them. Suspect Vargas refused to comply with the orders. The suspect drank from the bottle and he wrapped the bandana around his face in an apparent attempt to defeat the effects of the chemical agents.

Suspect Vargas turned and walked back toward his bedroom door. Sergeant Murray directed Deputy [redacted] to deploy the less lethal blunt impact projectiles. Deputy

[redacted] fired one round from the 40 mm less lethal launcher. The round struck Suspect Vargas on the right side of his chest, but had little to no effect on him. He continued to move back toward the bedroom.

The arrest team gave Suspect Vargas commands to walk toward them. Suspect Vargas did not comply with the orders and continued to move back toward the bedroom. Deputy Williams warned Suspect Vargas a canine would be sent after him. Sergeant Murray directed Deputy Williams to deploy his police service dog, Canine Jack, to apprehend Suspect Vargas. Deputy Williams released Canine Jack. Canine Jack bit and held onto Suspect Vargas' right arm. Suspect Vargas was ordered to show his hands and to approach the arrest team. He refused the commands.

The arrest team communicated a tactical plan to approach Suspect Vargas. When the arrest team approached Suspect Vargas, Deputy Francois provided the arrest team cover with the ballistic shield. Deputy Francois placed the shield between himself and Suspect Vargas. Deputy Williams removed Canine Jack from Suspect Vargas' right arm. Suspect Vargas kneeled, and Deputy Munoz took control of Suspect Vargas' left arm and Deputy Belville took control of Suspect Vargas' right arm. Once Suspect Vargas' hands were placed behind his back, he was handcuffed by Deputy Belville.

Suspect Vargas was escorted outside of the residence where he was immediately treated by Emergency Services Detail (ESD) Paramedics. Subsequently, LAFD treated and transported Suspect Vargas to Olive View-UCLA Medical Center for further medical treatment.

Suspect Vargas was treated for puncture wounds to his right arm, a contusion to his right knee, and a contusion to his chest. Suspect Vargas also had an ulnar fracture to his right forearm.

INVOLVED EMPLOYEES

[redacted] Deputy Sheriff, #[redacted]
Special Operations Division
Special Enforcement Bureau (SEB) / Canine Services Detail (CSD)

Work History
Date of Employment: May 29, 2007
Date Assigned to SEB: January 27, 2019
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

Equipment Worn
Deputy [redacted] was wearing a "Crye Precision" uniform with LASD insignia and patches, a gun belt equipped with his Department issued duty weapon. Additional equipment included one magazine pouch containing two magazines, two sets of

handcuffs, a flashlight, a tactical helmet, and tactical vest.

Stephen Williams, Deputy Sheriff, [redacted]
Special Operations Division
Special Enforcement Bureau (SEB) / Canine Services Detail (CSD)

Work History

Date of Employment:	February 28, 2011
Date Assigned to SEB:	September 17, 2017
Prior Shooting Incidents:	[redacted]
Prior Founded Force Incidents:	

IAB Note: Deputy Williams was assigned a four-year-old, male, Belgian Malinois-German Shepherd mix, named "Jack." Canine Jack responded to commands in Dutch. Canine Jack successfully completed the Department's Police Service Dog Certification Evaluation **[Miscellaneous Documents]**.

Equipment Worn
Deputy Williams was wearing a "Crye Precision" uniform with LASD insignia and patches, a gun belt equipped with his Department issued duty weapon. Additional equipment included one magazine pouch containing a two magazines, two sets of handcuffs, a flashlight, a tactical helmet, and tactical vest.

SUSPECT INFORMATION

Arthur Vargas Jr.
Male, Hispanic, DOB: December 12, 1978, 5'09", 200 pounds
[redacted]
CII # [redacted] MAIN # [redacted] FBI # [redacted] CDL # [redacted]

IAB Note: A copy of Suspect Vargas' Consolidated Criminal History Reporting System report is included with this investigative report **[Exhibit B, CCHRS]**.

WITNESSES

Witness Sergeant William Murray
Witness Deputy John Montenegro
Witness Deputy Juan Rodriguez
Witness Deputy Seth Belville
Witness Deputy Ervin Francois
Witness Deputy Ricardo Munoz
Witness SFPD Sergeant [redacted]
Witness SFPD Officer [redacted]

SUSPECT INJURIES

Suspect Vargas was treated on scene by ESD and LAFD. He was subsequently transported to Olive View-UCLA Medical Center. Suspect Vargas was treated by Doctor Theresa Cheng for puncture wounds to his right arm, a contusion to his right knee, and a contusion to his chest. Doctor Cheng subsequently admitted Suspect Vargas to the hospital for [redacted] and an ulnar fracture to his right forearm. Sergeant [redacted] responded to the hospital and photographed Suspect Vargas' injuries **[Exhibit C]**. Suspect Vargas was later transported, and admitted, to LAC+USC Medical Center.

> **IAB Note:** Officer [redacted] indicated on the SFPD report, Suspect Vargas had a small laceration on his forehead **[Exhibit A, SFPD report #20-0927, page 5]**. Sergeant [redacted] also observed a small cut on the top of the suspect's head and documented it in his supervisor report. He attributed the cut to being accidental/self-inflicted and possibly obtained during the prolonged barricade **[Exhibit B, Supervisor's Report on Use of Force, page 13]**. IAB investigators do not recall seeing a head injury.

On May 27, 2020, IAB Investigators responded to LAC+USC Medical Center and contacted Suspect Vargas. IAB Investigators were unable to completely photograph Suspect Vargas' right arm because his wounds were wrapped with a compression bandage. IAB Investigators did not want to disturb the healing process by removing the dressings. Suspect Vargas refused to provide a statement regarding the incident or his injuries. Doctor Ali Hosseini Rivandi formed the opinion Suspect Vargas' injuries were consistent with a canine bite and being struck with an impact weapon. Refer to medical records **[Exhibit D]**.

DEPUTY PERSONNEL INJURIES

There were no reported injuries to deputy personnel.

PHYSICAL EVIDENCE

SFPD recovered a compound archery bow, arrows, and a knife from Suspect Vargas' bedroom and later booked the items into evidence at their station. They also took pictures of the evidence and scene **[Exhibit A, SFPD DR#20-0927]**.

INVESTIGATOR'S OBSERVATIONS

IAB investigators did not respond to the location. Initially, SEB/CSD was responsible for investigating the use of force. Once it was determined Suspect Vargas was being admitted into the hospital, IAB investigators were assigned to investigate the use of force, several hours later. Sergeant [redacted] photographed the scene of the incident and

canvassed the area; however, he was unable to locate any witnesses or video surveillance. Sergeant [redacted] photographed, and video recorded, Suspect Vargas' interview on scene and at Olive View-UCLA Medical Center **[Exhibit C]**.

On May 27, 2020, IAB investigators responded to LAC + USC Medical Center and observed Suspect Vargas lying in a hospital bed. Suspect Vargas had a compression bandage on his right forearm, and multiple bruises on his right upper arm, right chest, and left knee.

WEAPONS USED BY DEPUTY PERSONNEL

Deputy [redacted] fired one 40mm "Exact Impact" less lethal projectile from a Penn Arms less lethal launcher.

Deputy Williams deployed his police service dog, Canine Jack. Deputy Williams was directed by SEB Sergeant Murray to apprehend Suspect Vargas. Canine Jack bit Suspect Vargas' right forearm, and held it, for approximately 25 to 30 seconds.

WEAPON USED BY SUSPECT VARGAS

Suspect Vargas had access to a compound bow and arrows, and a knife, while he was barricaded in his bedroom.

PROPERTY DAMAGE

Deputy Krase deployed four rounds of chemical agents from a 40mm multi-launcher into the windows of the rear bedroom causing it to shatter. When the chemical agents were deployed, several deputies inside the residence saw the front glass door of the kitchen stove shatter possibly caused by an arrow shot by Suspect Vargas. Deputy Krase forcibly opened the northeast bedroom door with a metal ram tool and caused damage to the door frame **[Exhibit B]**.

CRIMINAL INVESTIGATORS AND CHARGES FILED

On March 22, 2021, Suspect Vargas was sentenced to seven years and four months in a state prison for the following offenses. Refer to Superior Court of California County of Los Angeles Minute Order **[Exhibit E]**:

- (1) Count of Criminal Threats, 422 (A) Penal Code
- (1) Count of Resisting an Executive Officer, 69 Penal Code

LIGHTING AND WEATHER CONDITIONS

The incident occurred between during night time hours. The residence was dark inside and visibility into the bedroom, where Suspect Vargas was barricaded, was limited by

the blanket and dresser blocking the bedroom doorway.

Sergeant Murray used his flashlight to illuminate the interior of the residence. Suspect Vargas also used a flashlight in an attempt to locate the deputies' positions in the residence. Suspect Vargas also turned on the flashlight's strobe feature presumably in an effort to disorient the deputies.

STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the audio recordings and verbatim transcriptions.

INVOLVED EMPLOYEE STATEMENTS

DEPUTY [redacted]

On January 27, 2021, Deputy [redacted] was placed on [redacted] and unable to interview with IAB investigators **[Miscellaneous Documents]**. His use of force was documented in his supplemental report. For the complete report refer to Deputy [redacted] supplemental report, #920-00052-2414-505 **[Exhibit B]**. Deputy [redacted] related the following in his supplemental report.

On May 25, 2020, Deputy [redacted] was assigned to the SEB. He responded to [redacted] North Hagar Street, in the city of San Fernando, to assist the SFPD regarding an armed barricaded suspect.

Upon arrival, Deputy [redacted] was briefed by Deputy Montenegro. He was advised Suspect Vargas was a [redacted] and was barricaded in his bedroom. Suspect Vargas made statements of being armed with a firearm and would "shoot it out" with law enforcement. Suspect Vargas was a documented gang member from the criminal street gang, "San Fer 13." Deputy Montenegro assigned Deputy [redacted] to the arrest team and had "less lethal" responsibilities. Deputy [redacted] recalled the arrest team consisted of Sergeant Murray, Deputies Francois, Belville, Munoz, and Williams **[Exhibit B, Deputy [redacted] Supplemental Report, Page 1]**.

The arrest team formulated a tactical plan to react to Suspect Vargas' actions in the event he exited his bedroom. The arrest team attempted to "gain a dialogue" with Suspect Vargas for his surrender. Deputy [redacted] heard Suspect Vargas yell, "'Fuck you I ain't going back to jail, kill me!'" Suspect Vargas was later contacted by members of the CNT and eventually stopped answering his phone **[Exhibit B, Deputy [redacted] Supplemental Report, Page 2]**.

Chemical agents were introduced into Suspect Vargas' bedroom. Suspect Vargas exited his room and walked to an adjacent room near the rear of the residence. Deputy

[redacted] saw Suspect Vargas with a bandana in his left hand and a "sports drink bottle" in his right hand. Suspect Vargas appeared to be coughing and rubbing his hand. Deputy [redacted] believed Suspect Vargas was affected by the chemical agents. The arrest team ordered Suspect Vargas to empty his hand and walk slowly toward them. Suspect Vargas walked two to three steps toward the arrest team and stopped. Deputy [redacted] believed Suspect Vargas was "buying time to defeat the chemical agents" **[Exhibit B, Deputy [redacted] Supplemental Report, Page 2]**.

Suspect Vargas placed the bandana over his face and walked backward to his bedroom. Sergeant Murray directed Deputy [redacted] to deploy the 40mm less lethal "baton launcher." Deputy [redacted] fired one "Exact Impact" round at Suspect Vargas, from a distance of approximately 20 feet. The round struck Suspect Vargas on the right side of his "torso." Deputy [redacted] reassessed for a follow up shot; however, he saw Suspect Vargas had retreated to an area which placed a sliding glass door in the middle of his line of sight. Deputy [redacted] realized "an errant shot from the 40mm baton launcher, through two panes of glass, could have numerous unintended consequences for both the suspect and fellow members of the arrest team." Deputy [redacted] advised Sergeant Murray he would not be able to deploy another round. Suspect Vargas was subsequently apprehended by Deputy Williams' police service dog, Canine Jack **[Exhibit B, Deputy [redacted] Supplemental Report, Page 2]**.

DEPUTY STEPHEN WILLIAMS

On March 8, 2021, IAB investigators interviewed Deputy Stephen Williams at the IAB office. Deputy Williams was represented by Attorney Amy Johnson, from the law firm of Rains Lucia Stern St. Phalle, & Silver, P.C.

On May 25, 2020, Deputy Williams was assigned to the SEB/CSD, on PM shift, with his police service dog, "Canine Jack." Deputy Williams was notified to respond to [redacted] North Hagar Street, in the city of San Fernando, to assist the SFPD with a full SWAT request regarding a barricaded suspect **(Involved Employee Williams' IAB transcript, pages 6-8)**.

Upon arrival, Deputy Williams was briefed by Deputy Montenegro, who was the lead SEB scout in charge of the tactical planning of the operation. Deputy Williams was advised Suspect Vargas was a known gang member from the criminal street gang "San Fern 13" and threatened officers from the SFPD he was armed with weapons and would kill anyone that attempted to enter his bedroom **(Involved Employee Williams' IAB transcript, page 12)**. Deputy Montenegro assigned Deputy Williams to assist the arrest team, who were positioned in the living room of the residence. The arrest team included Deputies [redacted] Francois, Belville, Munoz, and Sergeant Murray. The members of the arrest team devised several different contingency plans depending on Suspect Vargas' compliance or noncompliance. Sergeant [redacted] authorized the deployment of Deputy Williams and Canine Jack to the arrest team **(Involved Employee Williams' IAB transcript, pages 9-8, 14)**.

The arrest team was inside the location for several hours and periodically made announcements. Additional announcements were made utilizing a PA system from the armored response vehicle (ARV). The announcements were made approximately every 10 to 15 minutes. The ARV was positioned directly in front of the house approximately 60 feet away. The announcements identified themselves as SWAT members and advised Suspect Vargas to surrender. Deputy Williams made direct verbal announcements stating if Suspect Vargas did not surrender, a dog would be used **(Involved Employee Williams' IAB transcript, pages 8-10)**.

Suspect Vargas was out of Deputy Williams' view for most of the incident. Suspect Vargas would periodically shine a flashlight out of different windows. Deputy Williams believed he was attempting to locate containment personnel or a possible avenue of escape.

The arrest team implemented a tactical plan in order to introduce chemical agents into the bedroom where they believed Suspect Vargas was hiding. This was an attempt to have Suspect Vargas peacefully surrender. During the tactical briefing, deputies discussed "making sure that everybody understands their individual roles" and "how they're going to react to the suspect if he presents himself" **(Involved Employee Williams' IAB transcript, page 11)**. When the gas was implemented, Suspect Vargas opened the door and stepped out into the covered patio, approximately 10 feet way, from Deputy Williams and the arrest team. The gas did not appear to have an effect on the suspect. Suspect Vargas did not comply with the orders given by the arrest team to show his hands, and to walk backward toward the arrest team. He ignored them, retrieved a water bottle, took a few sips, and washed his face. Suspect Vargas wet a mask and placed it over his face. The suspect walked backward toward the bedroom. Deputy Williams believed Suspect Vargas was attempting to decontaminate himself. He did not believe Suspect Vargas was intoxicated nor appeared to be mentally impaired **(Involved Employee Williams' IAB transcript, pages 12-13)**.

Deputy Williams feared Suspect Vargas was not affected by the gas when he decontaminated himself. He believed Suspect Vargas was going back to the bedroom and was armed, or had additional weapons in the bedroom. Sergeant Murray directed Deputy [redacted] to fire a 40mm less lethal projectile at Suspect Vargas. Deputy [redacted] fired the less lethal launcher, from approximately 10 feet away. The round struck Suspect Vargas in the "upper torso" and appeared to have no effect on him **(Involved Employee Williams' IAB transcript, page 12)**. Suspect Vargas picked up his pace and walked toward the bedroom. Deputy Williams was directed by Sergeant Murray to deploy Canine Jack to apprehend him.

Suspect Vargas was bit on the right forearm. The arrest team made verbal announcements for him to show his hands and approach the arrest team. Suspect Vargas leaned up against the wall and asked for the canine to be removed. The arrest team formulated a plan to tactically approach the suspect. When the arrest team approached Suspect Vargas, Deputy Williams pulled Canine Jack by the collar and

removed him from Suspect Vargas. Canine Jack's engagement lasted approximately 25-30 seconds. Deputy Williams "heeled" Canine Jack away and placed him in the car **(Involved Employee Williams' IAB transcript, page 17)**.

IAB Note: Heel is a command for a canine to walk directly next to the handler.

Police service dogs are primarily used as a tool to locate and hold suspects. Canine Jack was trained to search for the source of human odor and apprehend if able. If the canine is unable to apprehend, he will go into a bark alert. The bark alert advises the handler that the canine smells a human odor, but is unable to access it **(Involved Employee Williams' IAB transcript, page 17)**.

Deputy Williams placed Suspect Vargas in the assaultive high risk category of the Department's force option chart. The use of a canine falls within the assaultive high risk category of the force option chart. Deputy Williams believed the use of the canine as a locating tool helped create time and distance from a potential dangerous suspect, and helped prevent an officer involved shooting or other significant use of force on Suspect Vargas. When asked about the availability of other force options, Deputy Williams stated there were other force options available; however, the safest way to prevent Suspect Vargas from reentering the bedroom was the use of Canine Jack **(Involved Employee Williams' IAB transcript, page 18)**.

<u>WITNESS EMPLOYEE STATEMENTS</u>

SERGEANT WILLIAM MURRAY

On February 26, 2021, IAB investigators interviewed Sergeant William Murray. Sergeant Murray is assigned to the SEB and responded to the barricaded suspect call-out on May 25, 2020, in the city of San Fernando. Sergeant Murray was notified of the SFPD request for assistance by his lieutenant, Lieutenant Joseph Garrido, who relayed the information pertaining to the call-out. SFPD requested assistance from the LASD SEB due to a barricaded suspect that was possibly armed, and refusing to peacefully surrender **(Witness Murray's IAB Transcript, Page 3)**.

Sergeant Murray assembled his team and responded to the San Fernando location ([redacted] North Hagar Street). Upon arriving, Sergeant Murray described seeing numerous SFPD cars in front of the location. When he entered the residence, he saw "five or six" SFPD officers "holding the bedroom where the suspect had barricaded himself" **(Witness Murray's IAB Transcript, Page 5)**. SFPD officers told him Suspect Vargas indicated he was not going to surrender peacefully and he had firearms.

Sergeant Murray and his team took a "tactical position" in the living room. He could hear Suspect Vargas yelling from the bedroom and remembered the suspect state he was not going to surrender peacefully. Sergeant Murray saw Suspect Vargas had

barricaded the doorway to his bedroom with a wooden dresser and covered the doorway with a blue sheet or blanket **(Witness Murray's IAB Transcript, Page 5)** and threatened to "shoot it out." Suspect Vargas began a dialogue with Deputy Rodriguez, who was assigned to Sergeant Murray's team. Suspect Vargas stated he knew what deputies were going to do and went on to describe the tactics used by law enforcement during tactical operations. Suspect Vargas stated the deputies would use "chemical agents" then use "rubber bullets." Suspect Vargas asked what type of weapons the team carried and talked about the firearms he was familiar with. Sergeant Murray recalled Suspect Vargas stating he was familiar with the "Sig-Sauer 26." CNT arrived and tried to get Suspect Vargas to peacefully surrender, "to no avail" **(Witness Murray's IAB Transcript, Pages 6-7)**.

As more SEB personnel arrived, they reassigned the SFPD officers to outer containment positions. Sergeant Murray and his team devised a plan to have "lethal coverage, verbals, hands-on and less lethal" **(Witness Murray's IAB Transcript, Page 8)**. Deputy [redacted] was assigned to deploy the 40 mm less lethal launcher. Deputy Williams was present with his service dog, Canine Jack. Deputies Munoz and Belville were assigned to be hands-on, and Deputies Montenegro and Rodriguez were assigned to lethal coverage **(Witness Murray's IAB Transcript, Page 8)**.

Suspect Vargas continued to be noncompliant with repeated commands for him to surrender. Suspect Vargas stated he would kill anybody that would try to apprehend him **(Witness Murray's IAB Transcript, Page 9)**. Family members told deputies Suspect Vargas owned a crossbow with arrows. Suspect Vargas' [redacted] stated the suspect used PCP and "it wouldn't be uncommon for him to be under the influence [of] Phencyclidine" **(Witness Murray's IAB Transcript, Page 9)**.

Verbal announcements were made, via the PA, urging Suspect Vargas to surrender. The PA announcements were made frequently, given in English, and stated the following: "We were the Los Angeles County Sheriff's Department Special Weapons Team. We want you to peacefully surrender. Exit the location. Show yourself to the nearest deputy. Put your hands in the air." And "surrender peacefully" **(Witness Murray's IAB Transcript, Page 9)**. Suspect Vargas stated, "I'm not coming out alive. I'm going down shooting. You're going to have to kill me. I'm going to kill anybody who tries to come and get me" **(Witness Murray's IAB Transcript, Page 9)**.

Sergeant Murray did not see Suspect Vargas' face prior to him being detained, and couldn't determine if he was under the influence by his appearance. Suspect Vargas' "communication with us was not rational" and based on his experience he believed Suspect Vargas was under the influence based on his behavior. Sergeant Murray and his team ultimately deployed a light sound diversionary device on the exterior of the home, near where Suspect Vargas was barricaded. This was coupled with additional announcements for Suspect Vargas to surrender; however, these tactics were unsuccessful. They employed chemical agents inside the bedroom where Suspect Vargas was barricaded. A short time after introducing the chemical agents into the

room, Suspect Vargas came out holding a water bottle in one hand, while wiping his face and eyes with a handkerchief or bandana with the other hand **(Witness Murray's IAB Transcript, Page 11)**. Sergeant Murray believed Suspect Vargas was trying to defeat the chemical agents. They continued giving verbal commands for Suspect Vargas to surrender; however, he refused to comply.

When Suspect Vargas began walking toward his bedroom door, Sergeant Murray directed Deputy [redacted] to fire his 40 mm less lethal launcher, from approximately 20 feet away. Suspect Vargas was struck by one round in the upper torso with little to no effect **(Witness Murray's IAB Transcript, Page 12)**. As Suspect Vargas continued walking into his bedroom, Sergeant Murray directed Deputy Williams to release Canine Jack to engage Suspect Vargas. Sergeant Murray directed the use of force because he believed Suspect Vargas presented a threat based on all his prior statements regarding his weaponry and how he would not be taken alive. Sergeant Murray formed the opinion Suspect Vargas was returning to his room to "retrieve a firearm and…to come back and shoot with (at) us" **(Witness Murray's IAB Transcript, Page 12)**.

Canine Jack engaged Suspect Vargas from approximately 20 feet away, and bit Suspect Vargas' right arm, which allowed Sergeant Murray's team to approach and handcuff the suspect. After Suspect Vargas was bit, he went down to his knees and complied. Sergeant Murray recalled seeing "nothing in his hands" **(Witness Murray's IAB Transcript, Page 13)**.

Sergeant Murray stated his decision to employ Canine Jack was based off the fact the 40 mm less lethal launcher had little to no effect on Suspect Vargas. He believed engaging Canine Jack on Suspect Vargas would "prevent him from going into that room and arming himself and possibly kicking off an officer – an officer involved shooting" **(Witness Murray's IAB Transcript, Page 13)**.

DEPUTY JOHN MONTENEGRO

On March 9, 2021, IAB Investigators interviewed Deputy John Montenegro at the IAB office. Deputy Montenegro did not have a representative during his interview and he related the following.

On May 25, 2020, Deputy Montenegro was assigned to the SEB Blue Team. He was assigned as a scout on the PM and EM shifts. Deputy Montenegro was notified by SEB desk personnel to respond to [redacted] North Hagar Street, in the city of San Fernando, to assist the SFPD regarding a barricaded suspect. Deputy Montenegro recalled the following team members also responded: Sergeant William Murray, Deputy Juan Rodriguez, Deputy Seth Belville, Deputy Alejandro Lomeli, #[redacted] Deputy Ricardo Munoz, Deputy Kevin Hilgendorf, #[redacted] Deputy Jhonattan White, #[redacted] and Deputy Daniel Leon, #[redacted]

Deputy Montenegro was advised Suspect Vargas was wanted for a [redacted]

warrant. SFPD officers attempted to arrest him outside of the residence when he fled back inside of the house. Suspect Vargas threatened the officers stating he was armed with a handgun and was not going back to prison. SFPD officers were inside and outside of the residence on containment spots.

Upon arrival, Deputy Montenegro located the arrest team inside the kitchen of the residence, which consisted of SFPD officers. Suspect Vargas was in a back bedroom. The doorway of the room was covered by blankets, towels, a refrigerator, and other items. Deputy Montenegro was not able to see Suspect Vargas inside the room. The window to Suspect Vargas' bedroom was covered, and deputies were unable to make observations from the exterior. Deputy Montenegro heard Suspect Vargas conversing with SFPD officers.

Deputy Montenegro helped establish an arrest team with Department personnel in order to relieve SFPD officers and to take primary responsibility of the arrest team inside the residence. The arrest team was formed as SEB personnel arrived, which initially consisted of himself, Sergeant Murray, Deputies Belville, Lomeli, and Rodriguez. Deputy Montenegro directed Deputy Rodriguez to take command of the arrest team **(Witness Montenegro's IAB Transcript, Pages 4-5)**.

Deputy Montenegro's duty, as the scout, was to collect and coordinate information throughout the response. He directed Deputies Munoz, Francois, and members of the SEB Tan Team to the arrest team to assist Deputy Belville. Deputy Montenegro, Sergeant Murray, and Deputy Rodriguez conducted a perimeter check in order to clear an adjacent yard and remove SFPD officers from their positions. He reassigned Deputy Lomeli to an outer containment position with Deputy Krase. Deputies White and Leon were positioned on the "three side" (west) containment.

Upon completing the "360," Deputy Krase deployed a noise flash diversionary device outside the bedroom window to stimulate Suspect Vargas.

> **IAB Note:** The term "360" refers to complete coverage, all sides, of the target location.

The arrest team gave Suspect Vargas verbal commands to surrender. Suspect Vargas asked Deputy Rodriguez what type of gun he carried and made additional statements of possessing firearms, and not wanting to return to prison. A CNT member established communication with Suspect Vargas in an attempt to get him to surrender. Suspect Vargas told the CNT member he was coming out, but he later stated he would not come out. An additional flash bang was deployed on the "four side" (north) window. After the second flash bang was deployed, the window shattered. Deputy Montenegro believed Suspect Vargas either threw something or shot an arrow from the compound bow. At the conclusion of the incident, a search of the backyard and neighbor's yard for the source that caused the shattered window was met with negative results. An additional

search for a possibly arrow fired by Suspect Vargas was met with negative results **(Witness Montenegro's IAB Transcript, Pages 6-7)**.

A fire plan was implemented, which included an armored fire truck (fire cat) readily available when the chemical agents were deployed to extinguish any fires. Deputy Hilgendorf was in charge of the fire cat teams.

> **IAB Note:** A fire plan is utilized by SEB when chemical agents are deployed. It provides contingencies in the event a fire is started after chemical agents are deployed, which include using a fire cat to distinguish flames or having a fire engine with a fire hose readily available.

An initial gas plan included the use of an armored tactical caterpillar (tac cat) with a claw and gas attachments. The tac cat was driven by Deputy Nicholas Adragna, [redacted] and positioned in the driveway in the event Suspect Vargas exited a side door on the "two side" (south) of the residence. The positioning of the tac cat provided "distance and time covered" in order to apprehend Suspect Vargas in the event "hot gas" was needed.

> **IAB Note:** Hot gas is a CS device with a pyrotechnic dispersal system.

A second arrest team and canine handler were positioned outside of the residence in the event Suspect Vargas fled from the containment **(Witness Montenegro's IAB Transcript, Pages 7-8)**.

A total of, two liquid, two powered chemical agents encapsulated in a 40mm projectile were deployed at a higher height into Suspect Vargas' bedroom. The chemical agents had an effect on Suspect Vargas as he exited the bedroom by climbing over a refrigerator, and through the drape, that concealed the bedroom. Deputies Belville and Munoz led the arrest team, which was positioned near the kitchen area. The arrest team gave Suspect Vargas commands to come out with his hands up, and to walk toward the deputies. Suspect Vargas placed a bandana over his face and walked back toward his bedroom **(Witness Montenegro's IAB Transcript, Pages 8-9)**.

Deputy [redacted] fired one 40mm sponge round. Deputy Montenegro believed the round struck Suspect Vargas in the upper torso; however, he was unable to determine due to the suspect wearing a thick Pendleton type jacket. Suspect Vargas continued to walk to his bedroom. Deputy Montenegro believed Suspect Vargas was going back into the bedroom to potentially arm or barricade himself. He also believed Suspect Vargas posed a high risk threat because he made statements of being armed, and not wanting to return to prison **(Witness Montenegro's IAB Transcript, Page 9)**.

Suspect Vargas directed his right side toward the arrest team. Deputy Williams deployed his canine, "Canine Jack." Canine Jack crossed the kitchen and bit Suspect Vargas on his right arm. The arrest team moved back toward the living room. Deputy

Montenegro did not see Canine Jack reengage and believed he held his bite. Suspect Vargas remained standing, flailed his arm around with Canine Jack was still attached, and told the arrest team members to remove the dog. The arrest team continuously ordered Suspect Vargas to walk toward them, with Canine Jack, with his hands up. Suspect Vargas remained in place and continued to flail his right arm with Canine Jack. Deputy Montenegro maintained a visual of Suspect Vargas and continued scanning both sides **(Witness Montenegro's IAB Transcript, Page 9)**.

The arrest team moved forward, from approximately 30 feet, and two deputies took control of Suspect Vargas' arm. Deputy Williams took control of Canine Jack by the collar and removed him from Suspect Vargas' right arm. Deputy Montenegro provided cover for the arrest team. Deputies Munoz and Belville handcuffed Suspect Vargas and conducted a pat down search. Suspect Vargas was escorted outside so he could be treated by ESD personnel. The arrest team cleared the residence and the backyard, and relinquished the location to SFPD. A compound bow with arrows were recovered from the location.

Deputy Montenegro believed the use of the less lethal impact round and the canine were the best force options. He believed there were no other force options available because without the use of canine, the arrest team would have to engage Suspect Vargas at close proximity. Canine Jack distracted Suspect Vargas and directed his focus on the dog bite. The use of the less lethal 40mm helped "overcome his resistance at that point where he no longer wants to engage us or the canine." Deputy Montenegro believed the use of a Taser would have been ineffective at the distance they were at and due to Suspect Vargas' heavy clothing **(Witness Montenegro's IAB Transcript, Page 13)**.

DEPUTY JUAN RODRIGUEZ

On March 9, 2021, IAB investigators interviewed Deputy Juan Rodriguez at the IAB office. Deputy Rodriguez did not have a representative during his interview and he related the following.

On May 25, 2020, Deputy Rodriguez was assigned to the SEB Blue Team. He was assigned as a backup scout. He responded to [redacted] in the city of San Fernando, to assist the SFPD regarding a suspect who barricaded himself inside his bedroom. Deputy Rodriguez recalled the following team members also responded: Sergeant Murray and Deputies Montenegro, Belville, Lomeli, [redacted] and Williams (the canine handler).

Upon arriving, Deputy Rodriguez was directed inside the residence where he joined members of his team who were positioned in the kitchen, which was south of Suspect Vargas' bedroom **(Witness Rodriguez' IAB Transcript, Page 4)**. Deputy Rodriguez saw approximately three to four SFPD officers inside the residence, and recalled a SFPD sergeant or lieutenant positioned outside of the home near the street. Deputy

Rodriguez stated there were two SFPD officers positioned on the west side of the residence.

Deputy Rodriguez described what he believed to be a blanket hanging over the door frame to Suspect Vargas' bedroom. He saw a dresser have been moved in front of the doorway, almost obstructing the entrance. The blanket also obstructed his view into the room **(Witness Rodriguez' IAB Transcript, Page 5)**. When Deputy Rodriguez arrived, he "made sure the arrest team was intact." He ensured a "shield" and "less lethal" options were present. Deputy Rodriguez designated himself as "lethal" indicating he would use lethal force if necessary. Deputy Rodriguez explained he designated himself as "lethal" so they would not have numerous deputies firing at the same time. He stated, "You want to make sure you designate a specific person for that. In our case, whenever we arrive, we automatically designate ourselves as lethal based on the training and experience that we have with our rifles and our handguns" **(Witness Rodriguez' IAB Transcript, Page 5)**.

Deputy Rodriguez saw Suspect Vargas pointing a flashlight at members of his team. He described the flashlight as "high capacity" and Suspect Vargas had the flashlight on the "strobe" feature. Deputy Rodriguez was told Suspect Vargas was "armed with a crossbow and that he knew how to use it." Based on the information, Deputy Rodriguez and his team moved further south into the living room to create distance, but they could still keep a visual on Suspect Vargas' bedroom.

Deputy Rodriguez identified himself and started a dialogue with Suspect Vargas. Suspect Vargas told him, "You sound white" and asked him what caliber handgun he had. Suspect Vargas told him, "I have a SIG in here. I know how to use it. And if you guys come in here, we're gonna get in a shootout" **(Witness Rodriguez' IAB Transcript, Page 6)**. Based on Suspect Vargas' statements, Deputy Rodriguez believed he was not going to come out of the bedroom. Deputy Rodriguez believed Suspect Vargas had a "plan" and believed he was under the influence of a narcotic.

Deputy Rodriguez told Suspect Vargas numerous times if he would surrender, he would personally take him to talk to his family before being transported. Suspect Vargas responded, "I'm not going back to jail. We're gonna shoot it out." He added, "I already know what you guys are gonna do. First it's gonna be a concussion grenade. Then it's gonna be agents. What he called them which I automatically thought chemical agents. And then he says, It's gonna be live fire" **(Witness Rodriguez' IAB Transcript, Pages 6-7)**.

Deputy Rodriguez left the interior of the residence to help with additional planning, such as personnel needed, equipment and assessing the layout of the home. Deputy Rodriguez confirmed numerous announcements were made to Suspect Vargas by a loud speaker urging him to surrender; however, he refused to come out of his bedroom. Although Suspect Vargas spoke English, announcements were made in English and Spanish.

Deputy Rodriguez entered the residence and rejoined the arrest team. A flash bang was thrown near a rear window. The flash bang did not elicit a response from Suspect Vargas. Further PA announcements were made requesting Suspect Vargas to surrender; however, the announcements were unsuccessful. Chemical agents were introduced into the bedroom where Suspect Vargas was barricaded. The chemical agents caused him to come out of his bedroom. When Suspect Vargas exited his room, he held a bottle of water in one hand and a handkerchief in the other hand. Deputy Rodriguez believed the chemical agent had no effect on him and attributed this to him being under the influence **(Witness Rodriguez' IAB Transcript, Page 9)**.

As Suspect Vargas stood outside of his bedroom, Deputy Rodriguez ordered the suspect to walk toward his team. Suspect Vargas attempted to walk back into his bedroom at which time the 40 mm less lethal launcher was employed. The 40 mm round struck him, but had no effect. Deputy Rodriguez was worried if Suspect Vargas re-entered the bedroom, he would arm himself with his crossbow or firearm. At that time, Deputy Williams released Canine Jack. Canine Jack bit Suspect Vargas' arm; however, Deputy Rodriguez did not remember which arm was bitten. He also could not recall if Suspect Vargas walked back toward the team or if the team approached him to take him into custody. Deputy Belville handcuffed Suspect Vargas and walked him outside to awaiting ESD deputies where he was treated for his injury.
Deputy Rodriguez confirmed there were no other force options available to the team during this incident. Deputy Rodriguez did not recall if any weapons were recovered from Suspect Vargas' bedroom because his team only cleared the room for bodies and did not search for evidence **(Witness Rodriguez' IAB Transcript, Page 12)**. Deputy Rodriguez stated the incident was debriefed, and believed there were no tactical issues that caused him any concern.

DEPUTY SETH BELVILLE

On March 9, 2021, IAB investigators interviewed Deputy Belville at the IAB office. Deputy Belville did not have a representative during his interview and he related the following.

On May 25, 2020, Deputy Belville was assigned to SEB Blue Team. He was assigned as the fourth man position, on PM shift. Deputy Belville was notified by Deputy Montenegro to respond to [redacted] North Hagar Street, in the city of San Fernando, to assist the SFPD regarding a barricaded suspect.

Upon arrival, Deputy Belville responded to the location, then redeployed to the command post. His position required him to gather "intel" and manage the equipment for the team. When his assignment was completed, he returned to the arrest team in the kitchen. Officers from the SFPD were originally inside the location and were redirected outside.

Deputy Belville described the scene as dark and the location was a single story home.

Officers from the SFPD were both inside the location and outside in front of the location. Deputy Belville was advised Suspect Vargas was barricaded in the back bedroom. As Deputy Belville looked around the corner from the kitchen, he saw a sheet covering a door and a dresser in front of the door. Deputy Belville believed Suspect Vargas was barricading the door. Suspect Vargas would periodically peek through the sheet and shine a flashlight, in what Deputy Belville believed was a diversionary device, in an attempt to blind personnel on the arrest team.

Suspect Vargas yelled at Deputy Rodriguez and threatened to not come out alive. He additionally stated he had a Sig Sauer gun. Suspect Vargas also "went through our whole SWAT tactics he kind of knew" **(Witness Belville's IAB Transcript, Page 7)**. Deputy Belville had not encountered a barricaded suspect well versed in SWAT. Suspect Vargas explained how SEB personnel would first throw a percussion grenade, use chemical agents, and he would ultimately shoot it out.

Deputy Belville spoke to Suspect Vargas' [redacted] and [redacted] They each informed him, Suspect Vargas was in possession of a crossbow.

Deputy Belville heard announcements made to Suspect Vargas throughout the entire incident. Suspect Vargas responded to the announcements, claiming he was not coming out alive, and he was armed with guns. SFPD Sergeant [redacted] told him Suspect Vargas made similar statements to him when he arrived on scene.

After Suspect Vargas refused commands and announcements, a tactical plan was formulated by the scout, and approved by the sergeant, who was the team leader of the operation. The plan was approved by the SWAT commander. The next phase of the plan was implemented after several hours, which consisted of inserting four rounds of chemical agents into Suspect Vargas' bedroom using a 40 mm multi-launcher. Deputy Krase inserted two 40mm liquid CS barricaded penetrating rounds, and two 40 mm powder barricaded penetrating rounds, into Suspect Vargas' bedroom window. Suspect Vargas appeared to be affected by the chemical agents and exited the bedroom. Deputy Belville believed Suspect Vargas appeared under the influence or intoxicated based on his "nonchalant" manner when he exited the room.

Suspect Vargas was given verbal commands. He had a water bottle and a bandana in his hand, took a sip of water, and placed the bandana over his face. Deputy Belville believed Suspect Vargas was trying to "go from a saturated chemical agent environment to a non-saturated" **(Witness Belville's IAB Transcript, Page 11)**. Suspect Vargas headed toward his bedroom. Sergeant Murray ordered Deputy [redacted] to deploy the less lethal projectile from the 40mm launcher. Deputy [redacted] round struck Suspect Vargas in the upper torso; however, the round had little to no effect on the suspect. Sergeant Murray ordered Deputy Williams to deploy Canine Jack. Deputy Williams released Canine Jack who bit Suspect Vargas on the right forearm. The arrest team moved into the den to take the suspect him into custody. Suspect Vargas was on his knees when Deputy Munoz secured his left arm, and

Deputy Belville secured his right arm behind his back. Deputy Belville handcuffed the suspect and escorted him outside where he was treated by Deputy Daniel Aleman, #[redacted] and Deputy Jesus Rodriguez, #[redacted] from the ESD.

DEPUTY ERVIN FRANCOIS

On March 10, 2021 IAB investigators interviewed Deputy Ervin Francois at the IAB office. Deputy Francois did not have a representative during his interview and he related the following.

On May 25, 2021, Deputy Francois was assigned to the SEB. He responded to [redacted] San Fernando, to assist SFPD officers with a barricaded suspect. Suspect Vargas was wanted for a [redacted] and had barricaded himself inside his bedroom, and refused to come out. Upon his arrival, Deputy Francois was briefed by SEB Deputy Montenegro who informed him Suspect Vargas barricaded himself when SFPD officers attempted to take him into custody. Deputy Francois joined the arrest team, and assigned to hold the shield **(Witness Francois' IAB Transcript, Page 6)**.

Deputy Francois recalled Deputies Belville, [redacted] Munoz and Williams, a canine handler, were part of the arrest team. Deputy Belville devised an arrest plan in case Suspect Vargas surrendered. The plan consisted of having Suspect Vargas lie on the ground and crawl back toward the team of deputies. The plan was contingent upon the actions of Suspect Vargas. Deputy Belville attempted to communicate with Suspect Vargas and asked him to "give up." Other announcements were made from the PA system on the armored vehicle, outside of the residence, asking Suspect Vargas to surrender; however, Suspect Vargas refused to comply. Suspect Vargas stated he wasn't "going back to prison, that he had a gun, that he would kill anybody who came after him" **(Witness Francois' IAB Transcript, Page 8)**.

Deputy Francois stated a diversionary device was deployed outside of the bedroom where Suspect Vargas was barricaded and more announcements were made requesting him to surrender; however, Suspect Vargas still refused to comply. Chemical agents were inserted into the room where Suspect Vargas was barricaded, causing the suspect to exit the room with a bottle of water. Suspect Vargas stepped approximately "four to five feet" outside of the bedroom. Deputy Francois and his team were approximately twenty feet away from Suspect Vargas. Deputy Francois believed Suspect Vargas was attempting to defeat the chemical agent, and possibly trying to decide what he was going to do next. Deputy Francois had seen suspects behave like this over the ten years he's been assigned to SEB **(Witness Francois' IAB Transcript, Page 10)**.

As Suspect Vargas stood outside of the bedroom, he poured water over his face and tied a handkerchief around his face. Suspect Vargas was given instructions to walk toward them and to drop the items in his hands. Suspect Vargas refused and began to

walk back into the bedroom. At that time, Sergeant Murray directed Deputy [redacted] to fire his 40 mm less lethal launcher. The 40 mm launcher fires a "sponge round," that is used to gain compliance **(Witness Francois' IAB Transcript, Page 10)**. The round struck Suspect Vargas in his upper torso. He "flinched", but didn't fall, and continued to walk toward the bedroom.

At that time, Deputy Williams released Canine Jack who "latched" onto Suspect Vargas' right arm **(Witness Francois' IAB Transcript, Page 11)**. Commands were given to Suspect Vargas to walk back toward the deputies; however, Suspect Vargas appeared to "fight the dog" **(Witness Francois' IAB Transcript, Page 12)**. Suspect Vargas was trying to push the dog's head closer to his body in order to "withstand the bite." Deputy Francois stated, "They've been around and they know what we do and they learn at all kinds of levels like how to defeat stuff" **(Witness Francois' IAB Transcript, Page 12)**. Adding, in his opinion, Suspect Vargas was experienced in dealing with canine bites.

Deputy Francois' team approached Suspect Vargas because he would not walk toward them. Deputy Francois' concern was Suspect Vargas might pull Canine Jack into the bedroom and arm himself. Deputy Francois saw both of Suspect Vargas' hands were empty at that time. He and his team felt comfortable making their approach. Deputy Francois led with his shield to "protect the team." When he reached Suspect Vargas, he controlled Suspect Vargas' body with the shield to hold him in place. Deputy Williams made Canine Jack release his bite. Deputy Munoz took control of Suspect Vargas' left arm while Deputy Belville took control of his right arm and the suspect was handcuffed. Deputy Francois repositioned himself to shield the entrance to the doorway because the bedroom had not been cleared. Deputy Francois stated no other force was used to detain Suspect Vargas **(Witness Francois' IAB Transcript, Page 14)**. Suspect Vargas was subsequently treated by the SEB tactical paramedics.

Deputy Francois described this incident as being in the assaultive high risk category based on Suspect Vargas' criminal history and because he stated he was armed and would kill any officer that came toward him **(Witness Francois' IAB Transcript, Page 15)**.

Deputy Francois believed no other force options were available to them at the time they deployed the 40 mm launcher and Canine Jack. Deputy Francois stated not knowing if a suspect is armed "puts them at a disadvantage" and it was better for them to keep distance between themselves and Suspect Vargas **(Witness Francois' IAB Transcript, Page 16)**. A hatchet and a bow with arrows were recovered from Suspect Vargas' room. No firearm was recovered.

<u>DEPUTY RICARDO MUNOZ</u>

On March 8, 2021, IAB investigators interviewed Deputy Ricardo Munoz at the IAB office. Deputy Munoz did not have a representative during his interview and he related the following.

On May 25, 2020, Deputy Munoz was assigned to the SEB as the backup scout for the Tan Team, on day shift. Deputy Munoz was notified to respond to [redacted] North Hagar Street, in the city of San Fernando, to assist the SFPD with a SWAT team request regarding a barricaded suspect.

Upon arrival to the location, Deputy Munoz saw several SFPD officers in the front yard of the residence. He was directed to go inside the location with Deputies Williams and [redacted] Deputy Munoz was assigned to part of the arrest team, and was to provide lethal coverage. He positioned himself toward the front, in order to maintain a visual of the doorway of the bedroom where Suspect Vargas was located. Deputy Montenegro assigned responding deputies a specific duty should Suspect Vargas decide to give up and surrender to deputies.

Suspect Vargas directed a flashlight and shined it toward the arrest team several times through a blanket that covered the doorway. Deputy Munoz believed Suspect Vargas used the flashlight to actively look for the deputies' positions, or as a means to keep the arrest team back. Each time Suspect Vargas shined the flashlight, Deputy Munoz stayed behind cover to prevent him from locating and shooting them. Deputy Munoz believed Suspect Vargas was armed with a compound crossbow. Suspect Vargas was given several commands to drop the flashlight and come out of the room with his hands up over a course of an hour to an hour and a half. The arrest team was approximately 20 feet away from Suspect Vargas. PA announcements were also made from a tactical tractor that was positioned behind the residence, and adjacent to Suspect Vargas' window, for approximately 15 minutes. Deputy Munoz believed announcements about canine deployment were made verbally. Suspect Vargas verbally acknowledged those commands, and would move the blanket to shine a flashlight **(Witness Munoz' IAB Transcript, Pages 6-8)**.

After Suspect Vargas was given different opportunities to surrender to the arrest team, a plan was devised to deploy liquid CS and powder CS 40 mm rounds into Suspect Vargas' bedroom. Suspect Vargas exited the bedroom approximately one to two minutes after the rounds of CS were fired into the bedroom, and he stopped approximately 10 feet away from the arrest team. Deputy Munoz commanded Suspect Vargas to, "Show me your hands, turnaround, walk back towards us." Suspect Vargas did not acknowledge Deputy Munoz' commands and stated he needed a drink of water. Deputy Munoz ordered Suspect Vargas not to reach down to grab anything. Suspect Vargas ignored him and grabbed the bottle of water, opened it, and drank from it. Deputy Munoz again ordered Suspect Vargas to drop the bottle and to walk back toward the arrest team. Suspect Vargas reached into his pants pocket and retrieved a bandana. He placed the bandana over his face and covered his nose and mouth.

Deputy Munoz believed Suspect Vargas may have been under the influence of narcotics or mentally impaired because he has had past experience in dealing with suspects who acted similar when CS, or any chemical agent, was introduced. He also believed Suspect Vargas covered his face to minimize the effects of the chemical gas in

order to escape the containment and to avoid arrest **(Witness Munoz' IAB Transcript, Pages 9-10)**.

Sergeant Murray directed Deputy [redacted] to deploy less lethal from a 40 mm projectile launcher at Suspect Vargas. Deputy [redacted] fired a sponge round from a 40 mm six round launcher, from approximately 10-12 feet away. Deputy Munoz does not recall if one or two less lethal rounds were fired at Suspect Vargas. He believed one round struck Suspect Vargas in the upper chest or upper body. The round did not appear to effect Suspect Vargas. After being struck, he dropped the water bottle and walked back toward his bedroom. Deputy [redacted] was positioned next to Deputy Munoz when the less lethal round was fired. Deputy Williams made announcements a canine would be used prior to releasing Canine Jack **(Witness Munoz' IAB Transcript, Pages 11-12).** Once deployed, Canine Jack bit Suspect Vargas' right forearm, which caused him to stop walking toward the room and yelled to get the dog off. Commands were given for Suspect Vargas to walk back toward the arrest team in order to prevent them from moving forward into areas not cleared or deemed safe. Suspect Vargas remained where he was and continued to yell to have the dog removed. The arrest team formulated a plan to safely move up to Suspect Vargas, take him into custody, and remove Canine Jack from his forearm.

Deputy Munoz was in the front of the arrest team and was tasked with securing Suspect Vargas' left arm. Deputy Belville approached Suspect Vargas from the right side and secured his right arm. Deputy Williams removed Canine Jack from Suspect Vargas' right forearm. Suspect Vargas was handcuffed and escorted outside. Deputy Munoz remained focused on the doorway of Suspect Vargas' bedroom. Deputies Munoz, Rodriguez, and Montenegro moved into the bedroom, cleared it, and rendered it safe **(Witness Munoz' IAB Transcript, Pages 11-13)**.

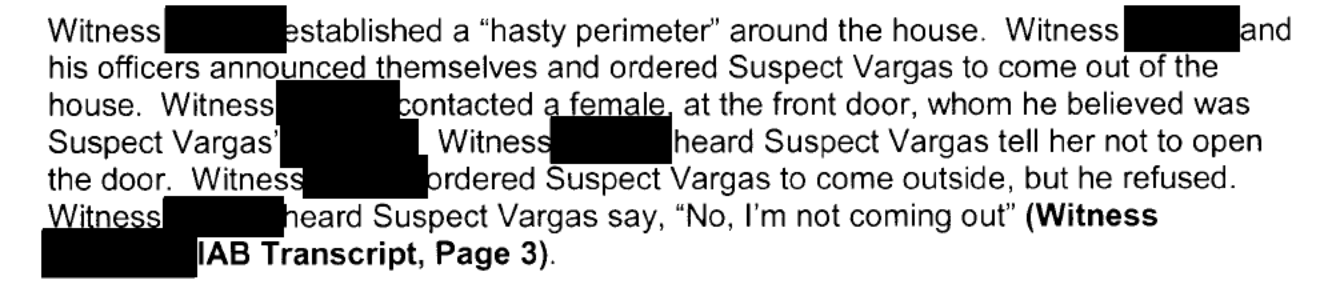
Deputy Munoz did not recall who else was on the arrest team, but believed it consisted of members from the SEB Blue Team **(Witness Munoz' IAB Transcript, Page 13)**.

WITNESS STATEMENTS

SERGEANT [redacted]

On February 26, 2021, IAB investigators interviewed SFPD Sergeant [redacted] The interview was conducted via teleconference.

On May 25, 2020, Witness [redacted] responded to [redacted] in San Fernando, to conduct a due diligence check on a warrant suspect (Suspect Vargas) **(Witness [redacted] IAB Transcript, Page 2)**. Witness [redacted] recalled Officers [redacted] and [redacted] responded to Suspect Vargas' residence. As they arrived to the residence, Suspect Vargas saw the officers approaching and immediately went back inside his residence.



Witness [redacted] established a "hasty perimeter" around the house. Witness [redacted] and his officers announced themselves and ordered Suspect Vargas to come out of the house. Witness [redacted] contacted a female, at the front door, whom he believed was Suspect Vargas' [redacted]. Witness [redacted] heard Suspect Vargas tell her not to open the door. Witness [redacted] ordered Suspect Vargas to come outside, but he refused. Witness [redacted] heard Suspect Vargas say, "No, I'm not coming out" **(Witness [redacted] IAB Transcript, Page 3)**.

Witness [redacted] described "an extended period" of conversation with the female at the front door, telling her several times to open the door. He heard Suspect Vargas say he had a gun and stated, "If you come in here, I'm going to shoot you." Witness [redacted] asked the female if Suspect Vargas had a gun. The female told Witness [redacted] several times she didn't know if Suspect Vargas had a gun before stating, "I think so."

Upon hearing this, Witness [redacted] stated he "more forcefully" ordered her to come out of the house, at which time she exited the location. At that time, Witness [redacted] requested additional officers, via his radio **(Witness [redacted] IAB Transcript, Page 3)**. As he and other officers made entry, he saw Suspect Vargas run into a bedroom at the rear of the house. Witness [redacted] stated other officers advanced to the rear portion of the kitchen because they lost sight of Suspect Vargas. They made several announcements asking Suspect Vargas to surrender; however, Suspect Vargas yelled repeatedly he wasn't coming out. He also repeated several times he had a gun and would kill anyone who entered his bedroom. Witness [redacted] "re-deployed" his officers on outside containment positions to the inside of the residence because there was no "egress" route for Suspect Vargas to take from his bedroom. Suspect Vargas would not be able to exit the rear door without being seen by officers positioned inside the residence **(Witness [redacted] IAB Transcript, Page 3)**.

Witness [redacted] described an "extended standoff" with Suspect Vargas while repeatedly trying to get him to "calm down" **(Witness [redacted] IAB Transcript, Page 4)**. He could not see inside Suspect Vargas' room because the suspect fastened a blanket to the doorway, obstructing his view. Suspect Vargas pushed furniture in the doorway to create a barrier. At some point, his team realized they would be involved in a "prolonged" barricaded suspect situation. His team used their OC (Oleoresin Capsicum) spray canisters and sprayed inside Suspect Vargas' room; however, it did not affect Suspect Vargas **(Witness [redacted] IAB Transcript, Page 4)**. Suspect Vargas continued to state he wasn't coming out. Suspect Vargas also sprayed some type of aerosol and shined his flashlight at Witness [redacted] and his team. Suspect Vargas also lit some items on fire. Witness [redacted] thought Suspect Vargas might have been attempting to create an explosion or start a fire **(Witness [redacted] IAB Transcript, Page 4)**. Witness [redacted] stated, "So at that point, I advised dispatch of the situation and I requested the Sheriff's Special Enforcement Bureau to call me to see if this was a situation they would respond to" **(Witness [redacted] IAB Transcript, Page 5)**.

Witness [redacted] stated once SEB deputies arrived, they took over his team's position inside of the residence. At the request of a SEB deputy, Witness [redacted] redeployed his team of officers to exterior containment positions. Announcements were made from a PA system asking Suspect Vargas to surrender. A Sheriff's helicopter overhead also made PA announcements.

When the canine bite occurred, there were no SFPD officers inside Suspect Vargas' residence. No SFPD officers witnessed the use of force because they were all previously re-deployed to outer containment positions **(Witness [redacted] IAB Transcript, Page 7)**.

Witness [redacted] stated a compound hunting bow and arrows, along with a large hunting knife, were recovered from Suspect Vargas' room after the use of force occurred. Witness [redacted] also recalled seeing the injuries to Suspect Vargas' arm and described the injuries as "small puncture wounds" **(Witness [redacted] IAB Transcript, Page 8)**.

OFFICER [redacted]

On April 28, 2021, IAB investigators interviewed SFPD Officer [redacted] The interview was conducted via teleconference.

On May 25, 2021, Officer [redacted] was assigned as a police officer, to Patrol Division, on Team [redacted] from [redacted] hours. She responded to the residence with Sergeant [redacted] and Officers [redacted] and [redacted] to conduct a "due diligence" for a warrant suspect, Suspect Vargas. Officer [redacted] was familiar with the location, and had responded a few times the same week, in attempt to locate the warrant suspect **(Witness [redacted] IAB Transcript, Pages 2-3)**.

Upon arrival, Suspect Vargas was outside the residence near the front door. SFPD officers tried to detain Suspect Vargas at the front door; however, Suspect Vargas ran inside the location. Officer [redacted] and her partner, Officer [redacted] ran after Suspect Vargas as he ran into a bedroom and placed a dresser in front of the doorway. Suspect Vargas placed items on top of the dresser in an attempt to block the doorway and told officers he had a gun. Officer [redacted] did not see a firearm **(Witness [redacted] IAB Transcript, Page 3)**.

They ordered Suspect Vargas to exit the bedroom. After no response, pepper spray was deployed into the bedroom, with no effect. After a few hours, SEB was requested to assist. The SFPD officers held a position near the kitchen with a direct view of doorway **(Witness [redacted] IAB Transcript, Page 3)**.

Upon the arrival of SEB, the deputies met with the SFPD officers. The SEB deputies assumed control of the kitchen and asked the SFPD officers to step outside to a position across the street **(Witness [redacted] IAB Transcript, Page 4)**.

Officer [redacted] did not witness any LASD personnel use force against Suspect Vargas. The SFPD officers did not use force against Suspect Vargas **(Witness [redacted] IAB Transcript, Page 5)**.

Officer [redacted] saw Suspect Vargas treated on scene for what appeared to be a dog bite to one of his arms. She later authored a report **(Witness [redacted] IAB Transcript, Pages 5-6), [Exhibit A]**.

SUSPECT'S STATEMENTS

ARTHUR VARGAS JR.

On May 26, 2020, at approximately 0313 hours, SEB Sergeant [redacted] attempted to interview Suspect Vargas at the location; however, Suspect Vargas refused to provide a statement regarding the incident. At approximately 0357 hours, Sergeant [redacted] again attempted to interview Suspect Vargas at Olive View-UCLA Medical Center; however, Suspect Vargas refused to provide a statement regarding the incident.

On May 27, 2020, at approximately 1023 hours, IAB investigators attempted to interview Suspect Vargas at LAC + USC Medical Center; however, Suspect Vargas refused to provide a statement regarding the incident.

On April 22, 2021, at approximately 0920 hours, IAB investigators interviewed Suspect Vargas at North County Correctional Facility (NCCF).

On May 26, 2020, Suspect Vargas recalled, he was shot with a "black gun" and was bit by a dog. He did not recall why the police were at his house other than, "because I wasn't coming out." Suspect Vargas denied having contact with the SFPD **(Witness Vargas' IAB Transcript, Page 1)**.

Suspect Vargas was in his room during the incident when he was contacted by a member of the CNT and later his [redacted] **(Witness Vargas' IAB Transcript, Page 2)**. Suspect Vargas spoke to one of the deputies he would come out of the room because he did not want to mess up his house anymore **(Witness Vargas' IAB Transcript, Page 5)**. He later came out of the room with his hands up.

Suspect Vargas was shot with a possible rubber bullet gun or black gun under the right side of his chest. Soon after, he complied with orders to come out with his hands up. He was bit by a police service dog on the right arm. Approximately three or four deputies were with Suspect Vargas during the incident. One of the deputies subsequently removed the dog from Suspect Vargas' arm.

Suspect Vargas recalled hearing announcements to "come out with your hands up" **(Witness Vargas' IAB Transcript, Page 3)**. Suspect Vargas did not recall hearing announcements of a canine deployment, prior to being bit by the dog.

Suspect Vargas sustained a broken wrist and stitches from the dog bite. He additionally sustained bruising, and later a scar, from being shot with the less lethal projectile round.

Suspect Vargas denied being under the influence of narcotics or consuming alcohol that day, but admitted he drank "once in a while" **(Witness Vargas' IAB Transcript, Page 4)**. The suspect denied taking any medication nor having a history of mental illness. Suspect Vargas denied being armed; however, there was a cross bow in his room **(Witness Vargas' IAB Transcript, Page 5)**.

ADDITIONAL INFORMATION

IAB investigators made multiple attempts to contact Officer [redacted] by telephone, email, certified letter, and personally contacting the SFPD Chief [redacted] These attempts were met with negative results.

IAB investigators were advised by Chief [redacted] Officer [redacted] recently retired, and he would not be able to provide contact information for him.